

REMARKS

Claims 1 and 3-22 remain pending in the application. Claim 2 has been cancelled and new claims 23-25 have been added.

Claims 1-5, 11, 13, and 16 stand rejected under 35 U.S.C. 102(b) as being anticipated by Thauer (US 3693935). Claim 1 has been amended to include the features of claim 2. Claim 2 recites that the side of the bearing sleeve that faces away from the valve plate is a secondary bearing surface, and that the washer has a secondary sealing surface that cooperates with the secondary bearing surface. Thauer does not disclose this feature.

The examiner argues that the upper face of washer 13 and the lower face of bearing 3 in Thauer can be considered as sealing faces because they are flat abutting surfaces. Applicant respectfully asserts that this is not a reasonable interpretation of Thauer.

Thauer explicitly discloses that the valve shaft 5 is supported and sealed only at conical surfaces 9, 10. See col. 2, lines 43-50, which states that these conical surfaces “maintain a complete and adequate seal to prevent escape of gasses from the interior of the exhaust pipe 2 through the clearance space between the internal walls of the [bore] 3a and the shaft 5.” Thus, no additional seal is provided as Thauer teaches that only a single seal is necessary.

Further, Thauer describes that these conical surfaces cooperate to center the valve shaft 5 “to maintain it concentrically within the bore 3a to provide adequate clearance for a full 360° between the shaft and the bore” See col. 2, lines 51-59. As discussed above, the examiner presents the argument that the washer and bearing have sealing surfaces, however, in order to be considered as corresponding to the claimed sealing surfaces, the surfaces must provide a “sealing” effect. Any gas that leaks beyond the conical surfaces 9, 10 flows through the clearance between the shaft 5 and the bore 3a and through the clearance between the washer 13 and the shaft 5. The washer 13 of Thauer does not, and cannot, provide a sealing effect.

Further, one of ordinary skill in the art would not consider Thauer as providing a “seal” between the washer 13 and bearing 3. Thauer describes washer 13 as an insulating disc that is provided to shield the spring from the effect of heat from the exhaust pipe. There is no disclosure or suggestion in Thauer that this insulating disc additionally provides any type of

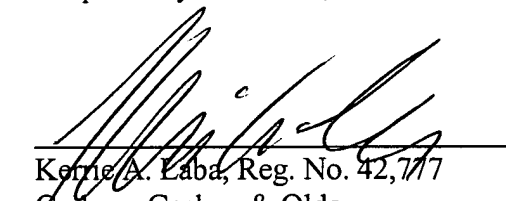
sealing effect. Thus, the examiner's interpretation of Thauer cannot be considered reasonable in light of the teachings of Thauer.

For the many reasons set forth above, applicant respectfully asserts that claim 1 is now in condition for allowance. Additionally, claims 3-25 should also be allowed.

Claims 6 and 14-15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Thauer in view of Kipp et al. (US 5630571). Claims 7-10, 12, and 17-18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Thauer alone. Claims 19-22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Thauer in view of Lee (US 5631761) and Welty et al. (US 6935618). These rejections are moot in light of the amendments set forth above.

Applicant asserts that all claims are now in condition for allowance and respectfully requests an indication of such. A check is enclosed to cover the cost of two additional dependent claims. Applicant believes that no additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees.


Respectfully submitted,


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Dated: March 23, 2006

CERTIFICATE OF MAIL

I hereby certify that the enclosed Response is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 23 day of March, 2006.


 Laura Combs